

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA, CHARLESTON DIVISION

CASE NUMBER 2:06-CV-1754

FIREMAN'S FUND INSURANCE COMPANY, as
SUBROGEE for LIMEHOUSE & SONS, INC.,
Plaintiffs,

v.

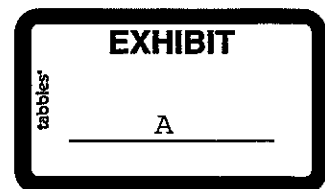
AMERICAN EQUIPMENT CORPORATION, INC., ET AL.,
Defendants.

DEPOSITION OF
DAVID MCCANDLESS

COPY

At Raleigh, North Carolina
Tuesday, April 14, 2009
10:02 a.m.

Reported by: Lindsey D. Cline, CVR



David McCandless

1 would be --

2 A. Sure. The Charles Smith versus Textron, that was
3 involving a lawnmower, but it was a fire involving
4 that. The Brown Logging versus Barko Hydraulics,
5 that was a log skidder fire. The Dunnagan versus
6 HDR Engineering and Mulkey, that's a vehicle
7 accident that had a fire associated with it, also.
8 I believe that's it.

9 Q. Okay. And which of these involved cranes, whether
10 it be crane engines, crane maintenance?

11 A. I don't think there's any on here that involve
12 cranes.

13 Q. Are you familiar with the term "Failure Modes and
14 Effects Analysis"?

15 A. Yes.

16 Q. Okay. Can you explain to me what it is?

17 A. It's a process where you look at potential failure
18 modes and the possibilities of results that would
19 occur from those failure modes.

20 Q. Is it an analysis that you use in your practice?

21 A. I do, not as an explicit create a flowchart, but
22 certainly when I'm looking at a product failure or
23 a potential failure, sure, what I'm looking at is
24 what is possible -- what is a possible scenario

David McCandless

1 given a certain failure.

2 Q. Is it a process -- I'm sorry.

3 A. So, I mean, I do it as a thought process. I don't
4 typically do it as create a flowchart as a
5 rigorous -- typically, when you look at FMEA,
6 that's what -- how they will outline it, is you
7 create a flowchart saying if you have failure A
8 and failure B and failure C and then you create
9 all the possibilities from that.

10 Q. Uh-huh.

11 A. I will tend to do that mentally but I may not
12 write it out on paper.

13 Q. When you say they do that, is this a fairly common
14 or standard method of assessing failures?

15 A. Sure. It's a set of terminology that's used in
16 the industry quite a bit.

17 Q. Okay. In the industry, you mean what industry?

18 A. Any industry that makes a product that can fail.

19 Q. Okay. Okay. And is it a relatively reliable
20 means of assessing a failure?

21 MR. HORTON: Object to the form.

22 THE WITNESS: If you properly do it and
23 properly assess all the potential failure modes,
24 sure.

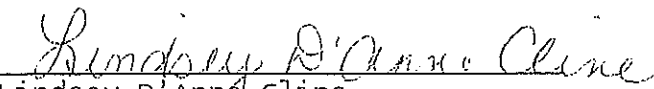
STATE OF NORTH CAROLINA
COUNTY OF WAKE

C E R T I F I C A T E

I, Lindsey D'Anne Cline, Court Reporter and Notary Public, the officer before whom the foregoing proceeding was conducted, do hereby certify that the witness(es) whose testimony appears in the foregoing proceeding were duly sworn by me; that the testimony of said witness(es) were taken by me to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of the testimony of the witness(s).

I do further certify that I am neither counsel for, related to, nor employed by any of the parties to this action in which this proceeding was conducted, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereof, nor financially or otherwise interested in the outcome of the action.

This the ~~16th~~ day of April, 2009.


Lindsey D'Anne Cline
Notary Public No. 20002130221